

IN THE DRAWINGS:

Please enter the enclosed new drawing sheet that includes Figure 7.

REMARKS:

Applicant thanks the examiner for his attention to the application. Applicant has amended Claim 1 to reduce the issues in this case to one, namely does the combination of Bradbury and Bouché show the subject matter claimed in Amended Claim 1 and particularly do Bradbury and Bouché teach a groove having a dovetail configuration.

As the examiner notes, Bouché shows a storage racking comprising supporting rollers for supporting totes. The supporting rollers are arranged in the deck of a bayway. However, as the examiner also notes, Bouché does not disclose a noise deadening insert in the tread of the rollers.

The examiner relies on Bradbury for the teaching that the outer circumference of a roller may have an annular groove formed around the circumference to receive an annular elastameric insert 30 to insure smoother conveying of articles over the roller body. In fact, that isn't what Bradbury says about the rings 30. Referring to column 3 of Bradbury he says:

"The outer rim 28 of the wheel 20 may be provided, if desired, with a gripping edge made of a material having appropriate frictional characteristics to facilitate movement of goods passing along the conveyor. As shown in the embodiment of FIG 1, a pair of flat rings 30 is nested in detents 32. The rings 30 may be made of rubber or other similar materials and have any desired configuration or cross-section. For example, as shown in FIG. 1

(but best seen in FIG. 3), rings 30 have a rectangular section whereas in FIG. 4 the cross-section of the rings 30 is circular. Alternatively, other materials may be employed such as gritty material in the nature of sandpaper attached to the rim, or the rim itself could be pitted or otherwise roughened.”

There is no suggestion, as the examiner proposes that Bradbury provides inserts to insure smoother conveying and most importantly, there is no suggestion in Bradbury that the rings are noise-deadening inserts as claimed. Furthermore, there is no suggestion in Bouché that reducing noise is desirable or any mention of noise whatsoever. It appears that Bouché provides shelving for an industrial application and noise may not be a consideration at all. There is no suggestion that the motors or other movable elements of Bouché be constructed in such a way as to minimize noise nor is there any suggestion that the noise associated with the rollers is even as loud as the noise produced by the motors or the other elements of the vertical conveyor or other noise making components of Bouché.

Furthermore, Bradbury discloses wheels for transporting goods in a conveying apparatus directly, that is, there is no suggestion in Bradbury to provide totes for supporting the goods as claimed.

Absent any reason in either Bradbury or Bouché to make the proposed combination, or any suggestion by the examiner as to why the combination should be made, there is no prima facie basis for the examiner's suggested combination.

Furthermore, even if the combination were made, applicant disagrees that Bradbury shows a groove with a dovetail configuration. Miriam Webster's Collegiate Dictionary, Eleventh Edition, the latest one, defines dovetail as:

"something resembling a dove's tail; *esp*: a flaring tenon and a mortise into which it fits tightly making an interlocking joint between two pieces (as of wood)".

Applicant has seen a number of dovetails and none are shaped like the grooves in FIG. 4 of Bradbury. The examiner says that the Bradbury groove is dovetailed when the term is given its broadest reasonable interpretation but Bradbury does not call the groove dovetailed and no one to applicant's knowledge has ever referred to a groove of the shape shown in Bradbury as dovetailed. Applicant respectfully submits that dovetail has a well understood meaning and that the groove of Bradbury does not fit within such meaning.

Applicant submits that the combination of Bouché and Bradbury does not teach the claimed dovetail groove.

The addition of Merbler does not provide that which is missing from Bradbury and in fact, the examiner has not rejected Claim 6 over Bouché and Merbler.

Each of the matters in the Office Action having been addressed,
reconsideration and favorable action on the application are requested.

Dated: June 28, 2005

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. Salai", written over a horizontal line.

Stephen B. Salai, Registration No. 26,990

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